

Commercial

THE PACIFIC

Advertiser.

ESTABLISHED JULY 2, 1856.

VOL. XXXV., NO. 6242

HONOLULU, HAWAII TERRITORY, FRIDAY, AUGUST 8, 1902.

PRICE FIVE CENTS.

FIGHT ON
FOR FIFTH
LEADERSHIPLane's Chances In
District Are
Doubtful.QUICK BATTLE
FOR ACHI MADEEvery Place is Now Subject to
Struggle — Fourth District
Having Work to Find Man.

WHEN the District committees of the Fourth and Fifth voting districts, comprising the island of Oahu, meet this morning, there will be two kinds of meeting, on the one side a searching for a man by the office and on the other a seeking of the office by two men. What will be the outcome is a question and both meetings will be full of interest.

The only fight is on in the Fifth. There the contest is in regard to the chairmanship, the secretaryship being a side issue. So far there has been apparent only one side. The one faction, which is understood to represent men who are not members of the committee at all, has had its caucus and unanimously declared for John C. Lane of the eighth precinct for chairman. J. D. Avery, also of the eighth is slated on this ticket for secretary of the committee. When the slate was made at the caucus it was then understood that there were enough votes assured for the election of Lane on the first ballot. Neither Mr. Lane nor his backers will mention just how many votes they expect to have or where they come from, but the claim is none the less strong that they will materialize.

It was only yesterday that any fight became apparent. It was reported that McCants Stewart had declared on the street that he had the Fifth district in his pocket and announced that he would run it to suit himself. He is reported further to have declared that he would elect Lane chairman, Avery secretary, and would nominate Dwight, Clark, Ahong, Naukana, Lot Lane and James Holt, for the House and John C. Lane and Dr. Huddy for the Senate.

Immediately there was a fight in the air. W. C. Achi was put into the struggle for chairman and before evening it was announced that he had 19 votes assured. This means only a majority of one, for the committee is composed of 37 members. David Hoapili of the Ninth is slated for the secretaryship on this ticket, as he has the universal esteem of the members and will be able to poll the full vote. The Achi men, who wish to see the former senator chosen for the nomination for the senate again, will make the struggle to the end, as they insist that their man has had the endorsement of his own precinct, and with the majority of the district committee there can be no cavil as to his acceptability for the upper house. John C. Lane is talked of for the treasuryship of the committee.

In the Fourth there is a struggle on the part of the member of the committee, who have not yet had a caucus on the subject, to secure some man who can give the time to the fight to accept the office of chairman. There is no candidate in the field. A majority of the members of the committee seem to be in favor of F. W. Macfarlane for the place. Mr. Macfarlane has not agreed to accept, in fact has said that he does not want the job, but there continues to be such a demand for his acceptance of the place that he may be persuaded to take the chairmanship. Mr. Macfarlane has shown himself an admirable man for the place by his management of other bodies, and he has the confidence of every member of the committee, who would be glad to work under him.

Should there be an absolute refusal on his part, then there is talk of putting up for the place J. P. Cooke or J. A. Gilman. The former has many friends in the committee and the latter is just as well blessed, but neither is believed to want the place. Mr. Cooke says he has served the party long and well, and Mr. Gilman is alleged to have reasons for wishing to be simply a member of the committee without office. Some of the members are declaring for George B. McClellan for secretary and Chas. Hustace for treasurer.

WILCOX IS
TELLING
OF WRONGS

Speaking from the balcony of a Japanese hotel, surrounded by the most complex population that Honolulu can afford, Home Rule orators last evening addressed every variety of voters. For the first time on any platform a speaker appealing for votes to send a delegate to the American congress spoke in English and heard his remarks translated into two languages for the benefit of the crowd beneath him.

There were at least two hundred people gathered in the Beretania street at the Ewa end of the bridge, when the meeting announced for that point was opened. There were in the roadway listening to the orators gathered upon the balcony Hawaiians, Chinese, Japanese, Porto Ricans, South Sea Islanders and Americans. It was a crowd which gathered for the purpose of being entertained and the speeches were in three languages and there was just enough of the humorous interjected to keep the crowd well pleased.

The meeting was called to order by John Baker, who in Chinese, Hawaiian and English announced its purposes. He then spoke to the Chinese in their language telling them how the Delegate had been working for the purpose of seeing that the Fire Claims were paid and how it was the Home Rule legislature that passed the Fire Claims bill which brought together the court. He urged the Chinese voters to work for the success of the Home Rule ticket, and while there was no applause there was a degree of humor in the affair, since remarks were constantly made which caused the Hawaiians to laugh heartily.

Kalauokalani junior was the next speaker and he entertained the audience for an hour, talking of the various phases of the campaign. He praised the work of the Delegate and said that there was no one at the national capital but acknowledged his quality and capacity. Among other things he declared that the work of the Hawaiian legislature was not the subject of execration all the time, for the very people who criticized it here, such as Governor Dole, were praising it at Washington. He said the Republican party was attempting to disfranchise the Hawaiians, but this would not be effective as the Home Rulers were on guard.

Cayless was introduced as the man who had been true to the Hawaiians and began by declaring that his was a campaign of principles and of men. The opposition to the Home Rule party he declared was confining itself to attacks upon Wilcox, principally for what he had done, and the legislature. He said that no one could point to a bill introduced by another than the Delegate which went through, nor to a bill introduced by the Delegate which failed. He said that the people here opposed to Wilcox claimed that he did not do anything, because he could not. He went on:

"During much of the last session Wilcox was lying on his back at the point of death, and yet I tell you that even in that condition he did more than any other Delegate of any other Territory. Congress is a large place where it usually takes a Delegate two years to get acquainted, but Wilcox already does more than any other man in like position. In the same breadth that they tell you that Wilcox was of no use to the people they say the Fire Claims appropriation did not go through because was not there watching it. The opponents of the Home Rule party try to cram down your throats these arguments because they fear Home Rule, for they know it means the uprising of the people and the downfall of those who oppress you. Wilcox's only offense is that he has been a capable, strong and useful servant of the people, that he is beloved by them, and his offending consists in serving them."

Referring to the legislature he said that it was the Home Rule majority who made the streets so that the people could use them, that appropriated money for the purpose of repairing the damage by the storms, and passed the income tax bill which made the rich man pay his share for the government of the people. He called attention too to the fire claims bill, and said this was entirely the work of the Home Rule legislature. Any of these he said would offset the much discussed dog bill.

He then criticized Gov. Dole for the reason that while in Washington being asked about leases and the bills passed by the legislature, his answer always was that he did not know. He then called attention to a meeting of Home Rulers in Palama on Monday, promising the people that he would then show them that if they valued honesty and justice and loved their country, that they must vote the Home Rule ticket.

Wilcox came upon the balcony when Poeppoe failed to appear, and he began by telling the people how glad he was to represent them. He then told how when ill at Washington he decided that he would retire from the position, and said that the only reason that he did not do this was that he could not see that there was another to take his place. To work for the people was his only wish, he said, and he wanted them to stand together for their own good. He said that his secretary was now studying law at Washington, and in the

(Continued on Page 2.)

JAPANESE HAS PLEA
OF SELF DEFENSEEvidence Indicates That This Will
Be Relied on to Save
Cabin Boy.Says Capt. Jacobson Fell on the Knife That
Killed Him—Glib Story of Oto, the Cook
Accused of Being an Accomplice.

"I heard the statement, and I have no questions, all I want to say is, that I deny the killing of the captain." This was the explicit statement of Tanbara Gisaburo, the Japanese who is charged with the murder of Captain Jacobson of the "Fred J. Wood," at the conclusion of the second day of the preliminary hearing before U. S. Commissioner Gill yesterday afternoon. The remark was occasioned by the testimony of First Mate Meyer in contradiction to the statement of Oto, denying having seen the crime, the mate stating that the cook "as the first man to call out 'Cabin boy kill captain.'"

The denial of Gisaburo will be followed this morning by a statement from him in regard to the murder, and he will be held to await the action of the October grand jury without bond.

Following the examination before the commissioner yesterday, the alleged murderer talked freely through an interpreter to United States Attorney Breckons and Deputy Marshal Handy. To them he said that the killing of the captain was wholly accidental. When he came down to the galley, according to his story, the captain grabbed him. He (the captain), had a knife in his hand at the time. They grappled and fell to the ground, the knife in some unaccountable way striking the captain in the groin and causing instant death. Gisaburo asserted also that he had been abused by the captain and beaten, but that he did not inflict any injury upon him in the fight, the knife wounds being all of them accidentally self inflicted by Captain Jacobson.

The story of the Jap is wholly improbable from the nature of the

SUMNER HEIRS FIGHT TO
PREVENT REAL ESTATE SALEWill Urge Lack of Consideration as Grounds
for Setting Aside a Long
Term Lease.

BEFORE the battle over the option on Sumner's island is over there may be before the court the question of the legality of the option itself, and acting upon advice that a plea of lack of consideration should invalidate the lease and option, the heirs may sue to declare them void.

The primary action was the suit of the Oahu Railway and Land Company to compel the Bishop of Panopolis, trustee, to execute a deed for land known as Sumner's Island, under an option given with a lease for 99 years to B. F. Dillingham and Mark P. Robinson. The lease executed by Sumner before he placed his property in the hands of the bishop, gives the plaintiffs to the suit the tenancy in the land for an annual rental of \$5500 a year, and the privilege of taking it over whenever they may see fit to pay the price of \$100,000.

After the making of this lease Mr. Sumner, who is childless and a widower, decided that he would go to Tahiti, and so secured the consent of the bishop to take charge of the estate during his absence, to collect rents, pay taxes and other duties incident to the control of the property. The property became necessary to the railroad, and recently the bishop was called to the bank and there formally tendered \$100,000 in gold in consideration of the fee simple title to the land.

But the prelate was not ready. He contended that the trust deed under which he is operating is not sufficient

to enable him to alienate property, and so he, through his attorneys, declined to make the deed, and in person refused to take the cash. Following this came the suit.

The heirs of Sumner, the two nephews and one niece, the Ellis boys, well known here, and their sister, decided that it was time for them to take a hand in the fight, for the purpose of conserving the estate. They are of opinion that the property is worth twice the sum that the option calls for, and they believe that the courts will refuse to order the deed made. A court decree would give the bishop legal authority to make the conveyance and prevent any claims later on account of the insufficiency of his powers.

Judge Henry Highton, of San Francisco, one of the best lawyers in California, a man who has been interested in much of the greatest litigation in the State, is now in the city, and his arrival has been taken to advantage by the Ellis heirs, and he will in all probability fight the case for them. The understanding is that there will be a joining in the defense with the Bishop of Panopolis, and that in the event of the success of their contention that there was no sufficient consideration for the lease and option, there may be immediately instituted a suit to annul the lease and permit the land to revert to the owner. It is the intention of the heirs at law to make a hard fight over the case.

PUBLIC
LANDS
OFFERED

Commissioner of Public Lands E. S. Boyd will shortly dispose of more than 3000 acres of land at Lualualei, Waimanalo, Oahu, by special time agreements of sale, among the requirements being residence and improvements thereon. The land is to be divided into half a dozen lots of five or six hundred acres each. Commissioner Boyd has asked for communications from anyone interested, so that he may arrive at some knowledge as to the demand for the property. In the acreage offered is pasture and arable land, and some is partially covered with algaroba forests. The plans are on exhibition at the Commissioner's office.

***** that Oto was even remotely connected with the crime.

Aside from the contradictory testimony of the cook and the statement of the alleged murderer, yesterday's proceedings were not sensational. CAPTAIN'S WIFE BREAKS DOWN.

Mrs. Jacobson was the first witness called at the opening of the morning session. She testified simply that she was the wife of the murdered captain, telling also his full name. When Mr. Breckons turned to the defendant and asked if he had any questions to ask, Mrs. Jacobson turned also and broke into tears crying "Oh Tom," as she saw the Jap. He calmly said that he had no questions to ask and the witness was excused.

SECOND MATE TESTIFIES.

John Nelson, second mate, was the next witness. He told of how the captain had come to him and complained that the cabin boy wanted to sleep right up to breakfast time, but he made no threats. "A little after six o'clock," continued the witness, "I went to the donkey room for oil. Louis Samuel was with me, and as he looked down the steps, he said 'Good God! I looked there and said 'run for the mate,' while I jumped down and grabbed the cabin boy by the hand, and the Frenchman who was there also cried out—'Look at the knife!' I managed to catch the boy's hand and put my foot on his breast. The knife was in the captain's groin and the boy had hold of it and of the captain's shoulder. I caught the blade and I put my wrist on a block of wood and began kneading his wrist with a sail-maker's palm, which made his hand numb and he let the knife go. I cut his thumb in taking the knife. I asked the captain what happened, but there was no answer, and the boy said not a word. Oto, the cook, came running up the stairs at the time I jumped down."

The clothes worn by the captain were then introduced in evidence and identified piece by piece by the witness. Gisaburo said he had no question to ask, but wanted to make a statement. He was informed that he could do so at the proper time.

Claud More, the Frenchman, said he was awakened by the captain's cry and heard him say "Boy give me that knife!" He jumped through a hole in the galley wall where the captain was holding the boy and tried to pull the Jap away. Both of them fell down and when the Jap's hand was pulled back the knife was drawn out with it, and was covered with blood. Gisaburo denied that statement when the answer was interpreted to him.

Louis Samuel, John Barton and the remaining three sailors of the ship were then called, stating simply that they were sailors on board the "Wood."

THE COOK'S STORY.

"I have been cook on the Fred J. Wood since June 15th," said the cook, S. Oto, in opening his testimony. Both the questions and answers were interpreted into Japanese for the benefit of the defendant, though Oto can speak English quite clearly.

"I don't remember the date of the killing," he continued, "the fight between the defendant and the captain was on Wednesday of last week." The witness then testified that he did not know of the captain's treatment of the cabin boy, though he had been told by the latter that it had been very cruel. The captain had always compelled the boy to get up at four o'clock and clean his cabin floor, and brush his shoes and clothes and other work of that nature. He said he had no complaints to make of the captain, but was willing to relate those of the defendant, which had been told to him. The captain, it appears, did not like the water furnished to him, and would send the boy back after more than three or four times, also the boy did not clean the plates satisfactorily. "The defendant stated to me," continued Oto, "that he could not stand such treatment, and could not be bossed by the captain in that way, and on our arrival in China intended to leave the ship. He wanted me to leave with him, but as I had signed the ship's articles I couldn't. Then he told me he had been shut up in the cabin by the captain and his wife and that Jacobson had beaten him, and spoken bad about the Japanese emperor and he would insult the defendant. This information was given to me three or

(Continued on Page 5.)

WAIKIKI
FRANCHISE
GRANTEDRapid Transit May
Build to the
Park.TWO LINES ARE
NOW IN PROSPECTWidening of the Road From King
Street Alone May Delay Construction of Road.

AFTER thorough consideration the franchises to construct tracks on the Waikiki road, from the corner of the road and King street to the Kalia road, and from the same road to Kapiolani park, were granted yesterday afternoon by the Superintendent of Public Works, to the Rapid Transit company. Just what this will mean cannot yet be foretold but it is taken to forecast rapid work on the Beach extension of the electric road.

The petitions signed by a majority of the property holders on the street were presented to the Superintendent recently and his attention asked for the speedy consideration of them. The work of filling in McCully street is not progressing favorably, according to some of the officials of the Rapid Transit company, and it was deemed wisest to have the matter of a route settled very soon and thoroughly. This caused the preparation of the petitions at once and the action of the department will end all anxiety on the part of the Transit people.

This action gives free access to the park to the Rapid Transit company, with the only drawback in the shape of the necessary delays in the widening of the road. Arrangements have been made by which the 11 estate gives the land needed for the widening from the King street line to the property of James H. Boyd. This settles all questions out to the Hopkins switch, there being necessary only the removal of the house which stands partly on the line of the new road. The removal of the cocoanut trees in front of Sunny South is now being going on, and the breadfruit and mangoes there are being taken up in some instances for the purpose of removal to another site.

The plan so far as it can be forecast, is for the laying of the tracks of the Rapid Transit company on the makai side of the Waikiki road after leaving King street, to a point where the largest ditch crosses the road, which is just mauka of Sunny South. There the line will cross the road and enter upon its regular right of way, which it will follow to the park, the line of its tracks lying mauka of the tram line. This will make the turn at the entrance to the road an easy one and will allow the cars to be seen by drivers for a long distance up and down the road so that there will be no difficulty in avoiding accidents, which might occur if there was an abrupt curve.

Work upon the filling of McCully street is progressing and the line is expected to be ready for the roller some time next week. The roadway it is alleged is not being made of the full width, and there may be some time lost in correcting this matter.

While the officials of the Rapid Transit company are not yet ready to say what they will do as to the matter of immediate extensions, there is no doubt but the plans for the putting through of the Waikiki line will be acted upon at once. Should there be any difficulty in the way of the immediate construction of the McCully street cross line, it is the opinion of at least one of the directors that the building of the Waikiki road will be pushed ahead as fast as the widening can be effected. The fact that the government has agreed to grant these franchises is taken to mean that there will be immediate action in this respect and that there will be construction before the end of the month on the Waikiki extension of the line.

In time it is thought there will be two lines to Waikiki, one by the main road and the other through McCully street, which will enable the Punahou people to get to the park in the cars in which they begin the journey, or at least without delay and with one transfer.